
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

versus

SEBASTIAN BANDA (5)

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CRIMINAL ACTION NO. 4:10CR189

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

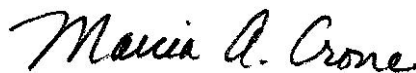
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 14, 2019, the report of the Magistrate Judge [Dkt. 685] was entered containing proposed findings of fact and recommendations that Defendant Sebastian Banda's Notice of Appeal [Dkt. 680] be deemed timely filed due to excusable neglect as permitted by Federal Rule of Appellate Procedure Rule 4(b)(4).

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, it is **ORDERED** that Defendant Sebastian Banda's Notice of Appeal [Dkt. 680] is deemed timely filed and is properly before the Court.

IT IS SO ORDERED.

SIGNED at Beaumont, Texas, this 15th day of April, 2019.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE